



[4910-13-P]

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2012-1075; Directorate Identifier 2012-NM-111-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Bombardier Inc. Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes. This proposed AD was prompted by a revision to the airplane airworthiness limitations to introduce more stringent inspection requirements on certain affected components. This proposed AD would require revising the maintenance program to incorporate revised tasks specified in certain temporary revisions. We are proposing this AD to detect and correct fatigue cracking in the affected components and consequent loss of structural integrity.

**DATES:** We must receive comments on this proposed AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: (202) 493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Zimmer, Aerospace Engineer, Airframe and Mechanical Systems Branch, ANE-171, FAA, New York Aircraft

Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7306; fax (516) 794-5531.

## **SUPPLEMENTARY INFORMATION:**

### **Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2012-1075; Directorate Identifier 2012-NM-111-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

### **Discussion**

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2012-13, dated April 10, 2012 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

A revision has been made to Part 2 of the Canadair Regional Jet Maintenance Requirements Manual (MRM), Airworthiness Limitations (AWL), to introduce more stringent inspection requirements for continued

airworthiness based on re-analysis, in-service data and/or fatigue testing. Failure to comply with these revised AWL items could lead to an unsafe condition.

This [TCCA] AD is issued to ensure that fatigue cracking of these affected components [and consequent loss of airplane structural integrity] is detected and corrected.

Required actions include revising the maintenance program by incorporating the revised inspection requirements specified in certain temporary revisions to Appendix B – Airworthiness Limitations, of Part 2 of the Bombardier CL-600-2B19 Maintenance Requirements Manual (MRM). You may obtain further information by examining the MCAI in the AD docket.

#### **Relevant Service Information**

Bombardier Inc. has issued the following temporary revisions to Appendix B – Airworthiness Limitations, of Part 2 of the Bombardier CL-600-2B19 MRM.

- Canadair Regional Jet Temporary Revision 2B-2098, dated November 24, 2005.
- Canadair Regional Jet Temporary Revision 2B-2110, dated November 24, 2005.
- Canadair Regional Jet Temporary Revision 2B-2119, dated February 14, 2006.
- Canadair Regional Jet Temporary Revision 2B-2123, dated August 28, 2006.
- Canadair Regional Jet Temporary Revision 2B-2127, dated October 9, 2007.

- Canadair Regional Jet Temporary Revision 2B-2128, dated October 9, 2007.
- Canadair Regional Jet Temporary Revision 2B-2129, dated February 14, 2008.
- Canadair Regional Jet Temporary Revision 2B-2133, dated February 14, 2008.
- Canadair Regional Jet Temporary Revision 2B-2148, dated January 12, 2009.
- Canadair Regional Jet Temporary Revision 2B-2160, dated January 14, 2011.
- Canadair Regional Jet Temporary Revision 2B-2161, dated January 14, 2011.
- Canadair Regional Jet Temporary Revision 2B-2168, dated January 14, 2011.
- Canadair Regional Jet Temporary Revision 2B-2174, dated January 14, 2011.
- Canadair Regional Jet Temporary Revision 2B-2198, dated December 8, 2011.

The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

#### **FAA's Determination and Requirements of this Proposed AD**

This product has been approved by the aviation authority of another country, and

is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

### **Costs of Compliance**

Based on the service information, we estimate that this proposed AD would affect about 575 products of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$48,875, or \$85 per product.

### **Authority for this Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products

identified in this rulemaking action.

### **Regulatory Findings**

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### **The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

## **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

2. The FAA amends § 39.13 by adding the following new AD:

**Bombardier, Inc.:** Docket No. FAA-2012-1075; Directorate Identifier 2012-NM-111-AD.

#### **(a) Comments Due Date**

We must receive comments by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected ADs**

None.

#### **(c) Applicability**

(1) This AD applies to Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) airplanes, certificated in any category, serial numbers 7003 and subsequent.

(2) This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by section 91.403(c) of the Federal Aviation Regulations (14 CFR 91.403(c)). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, an operator might not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request



approval of an alternative method of compliance (AMOC) in accordance with the provisions of paragraph (j) of this AD. The request should include a description of changes to the required inspections that will ensure the continued damage tolerance of the affected structure.

**(d) Subject**

Air Transport Association (ATA) of America Code 05, Periodic inspections.

**(e) Reason**

This AD was prompted by a revision to the airplane airworthiness limitations to introduce more stringent inspection requirements on certain affected components. We are issuing this AD to detect and correct fatigue cracking in the affected components and consequent loss of structural integrity.

**(f) Compliance**

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**(g) Maintenance Program Revision**

Within 60 days after the effective date of this AD: Revise the maintenance program by incorporating the revised inspection requirements specified in the temporary revisions to Appendix B – Airworthiness Limitations, of Part 2 of the Bombardier CL-600-2B19 Maintenance Requirements Manual (MRM) specified in paragraphs (g)(1) through (g)(14) of this AD.

(1) Canadair Regional Jet Temporary Revision 2B-2098, dated November 24, 2005.

- (2) Canadair Regional Jet Temporary Revision 2B-2110, dated November 24,  
2005.
- (3) Canadair Regional Jet Temporary Revision 2B-2119, dated February 14,  
2006.
- (4) Canadair Regional Jet Temporary Revision 2B-2123, dated August 28, 2006.
- (5) Canadair Regional Jet Temporary Revision 2B-2127, dated October 9, 2007.
- (6) Canadair Regional Jet Temporary Revision 2B-2128, dated October 9, 2007.
- (7) Canadair Regional Jet Temporary Revision 2B-2129, dated February 14,  
2008.
- (8) Canadair Regional Jet Temporary Revision 2B-2133, dated February 14,  
2008.
- (9) Canadair Regional Jet Temporary Revision 2B-2148, dated January 12, 2009.
- (10) Canadair Regional Jet Temporary Revision 2B-2160, dated January 14,  
2011.
- (11) Canadair Regional Jet Temporary Revision 2B-2161, dated January 14,  
2011.
- (12) Canadair Regional Jet Temporary Revision 2B-2168, dated January 14,  
2011.
- (13) Canadair Regional Jet Temporary Revision 2B-2174, dated January 14,  
2011.
- (14) Canadair Regional Jet Temporary Revision 2B-2198, dated December 8,  
2011.

**(h) Initial Task Compliance Time**

The initial compliance times for the tasks specified in the temporary revisions specified in paragraphs (g)(1) through (g)(14) of this AD are at the applicable time specified in the applicable temporary revision, or within 60 days after the effective date of this AD, whichever occurs later.

**(i) No Alternative Actions or Intervals**

After accomplishing the revisions required by paragraph (g) of this AD, no alternative actions (e.g., inspections) or intervals may be used other than those specified in the temporary revisions specified in paragraphs (g)(1) through (g)(14) of this AD, unless the actions and intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j)(1) of this AD.

**(j) Other FAA AD Provisions**

The following provisions also apply to this AD:

**(1) Alternative Methods of Compliance (AMOCs):** The Manager, New York Aircraft Certification Office (ACO), ANE-170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the ACO, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone: (516) 228-7300; fax: (516) 794-5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The

AMOC approval letter must specifically reference this AD.

**(2) Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

**(k) Related Information**

(1) Refer to MCAI Canadian Airworthiness Directive CF-2012-13, dated April 10, 2012, and the temporary revisions to Appendix B – Airworthiness Limitations, of Part 2 of the Bombardier CL-600-2B19 MRM specified in paragraphs (k)(1) through (k)(14) of this AD, for related information.

(i) Canadair Regional Jet Temporary Revision 2B-2098, dated November 24, 2005.

(ii) Canadair Regional Jet Temporary Revision 2B-2110, dated November 24, 2005.

(iii) Canadair Regional Jet Temporary Revision 2B-2119, dated February 14, 2006.

(iv) Canadair Regional Jet Temporary Revision 2B-2123, dated August 28, 2006.

(v) Canadair Regional Jet Temporary Revision 2B-2127, dated October 9, 2007.

(vi) Canadair Regional Jet Temporary Revision 2B-2128, dated October 9, 2007.

(vii) Canadair Regional Jet Temporary Revision 2B-2129, dated February 14, 2008.

(viii) Canadair Regional Jet Temporary Revision 2B-2133, dated February 14, 2008.

(ix) Temporary Revision 2B-2148, dated January 12, 2009.

(x) Temporary Revision 2B-2160, dated January 14, 2011.

(xi) Temporary Revision 2B-2161, dated January 14, 2011.

(xii) Temporary Revision 2B-2168, dated January 14, 2011.

(xiii) Temporary Revision 2B-2174, dated January 14, 2011.

(xiv) Temporary Revision 2B-2198, dated December 8, 2011.

(2) For service information identified in this AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514-855-5000; fax 514-855-7401; email [thd.crj@aero.bombardier.com](mailto:thd.crj@aero.bombardier.com); Internet <http://www.bombardier.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. Issued in Renton, WA, on October 4, 2012.

Dionne Palermo,  
Acting Manager,  
Transport Airplane Directorate,  
Aircraft Certification Service.